

### **REMARKS/ARGUMENTS**

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office action, and amended as necessary to more clearly and particularly describe the subject matter which applicant regards as the invention.

Claims 38-43 remain in this application. Claims 1-37 have been canceled. Claims 44-56 have been added

Claims 1-41 were rejected under 35 U.S.C. §103(a) as being unpatentable over Hiroya et al. (U.S. 5,754,654) and Sasmazel et al. (U.S. 6,032,260) in view of Cogger et al. (U.S. 6,032,184). For the following reasons, the rejection is respectfully traversed.

First, claims 1-37 were canceled, making the rejection moot.

Second, the Examiner has apparently ignored the two new claims 42 and 43 that were added to this case by the last amendment. Applicant assumes that they, too, are rejected under these grounds.

Claim 38 recites an electronic ticket processing system comprising a networked-linked electronic ticket including both an "electronic ticket" and a "network electronic ticket" different from the electronic ticket. The "electronic ticket" is for "providing a customer access to a commodity or a service" or "user admission to an event" whereas the "network electronic ticket" is different than the electronic ticket and is for "providing the customer access to access limited online information about the commodity or service or the event from an information providing apparatus on a network". The references, even if combined, do not teach these elements of the claim as limited by the explicit claim language.

The Examiner cites an encrypted "hash number" of Sasmazel as teaching the "network electronic ticket" of claim 38. However, claim 38 explicitly requires that the "network electronic ticket" be for "providing the customer access to online information about the commodity or service or the event from an information providing apparatus on a network. It is not enough to just provide information, the claim language clearly requires that the information be about the item being accessed by the use of the electronic ticket. The two items are explicitly related.

But because Sasmazel does not discuss any commodity, service, or event, it cannot teach providing access to information about the commodity, service, or event that it is silent about. Thus, Sasmazel clearly does not suggest the network electronic ticket as limited by the claim

language.

Further, neither Hiroya nor Cogger suggest any network electronic ticket. Thus, the combination of references does not teach all of the claim limitations, as required by MPEP §2143.03 (the combination of prior art reference(s) must teach or suggest all of the claim elements and/or claim limitations for an obviousness rejection), and thus even if combined, the references do not teach all of the explicitly recited claim limitations.

Finally, the Examiner has still failed to support a prima facie case of obviousness. The burden is on the Examiner to make a prima facie case of obviousness (MPEP §2142). To support a prima facie case of obviousness, the Examiner must show that there is some suggestion or motivation to modify the reference (MPEP §2143.01). The mere fact that references can be combined or modified, alone, is not sufficient to establish prima facie obviousness (*Id.*). The prior art must also suggest the desirability of the combination (*Id.*). The fact that the claimed invention is within the capabilities of one of ordinary skill in the art is not sufficient, by itself, to establish prima facie obviousness (*Id.*).

Instead, in response to being challenged on this point in previous responses, the Examiner merely again lists benefits found in each of the references for practicing that reference. This is hardly a motivation to combine the reference with another reference. Such an interpretation of motivation would make every reference self-motivating, because all references teach some benefit!

For example, the Examiner states that it would be obvious to modify the Hiroya reference to add practices taught by the Sasmazel reference because "this would prevent a trouble on whether the electronic money and the electronic ticket are given or received actually". Besides being poor English, the statement is nothing more than a generalized summary of the benefits taught by Sasmazel.

Further, the statement is not even related to the purpose of the network electronic ticket as recited in claim 38, which is to provide information about a commodity, service, or event that has been, is being, or will be accessed by the electronic ticket. There is nothing in this claim language that is related to preventing "trouble", and thus, even if one were motivated for the reason discussed by the Examiner, one would not arrive at the invention by such motivation, because that motivation would not lead to any modification to provide **information** as in the claimed invention.

Likely recognizing this problem, the Examiner attempts to add an additional motivation

for providing the online information discussed above. The Examiner states that Cogger discloses a Web based customer care in which a "trouble ticket or electronic ticket has been used for allowing a customer to remotely access a service provider" and that it would have been "obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of Hiroya and Sasmazel by including the limitation above as taught by Cogger because this would allow the customer to access and display the online information".

But Cogger was not cited for teaching the network electronic ticket. Instead, Cogger teaches that a "trouble ticket" is generated when a user requests a service. (see passages cited in the Office action). The "trouble ticket" is in response to a service request, but is not in response to an electronic ticket. See Figs. 5 and 12. The "trouble ticket" of Cogger is nothing more than a way to track the progress of the service request. It is not used to obtain access limited information about a commodity, service, or event that is accessed using an electronic ticket.

One skilled in the art would not be motivated to add the "trouble ticket" feature of Cogger to the other references because none of the other references are concerned with tracking the performance of a service request, and Cogger is not concerned with using an electronic ticket for access to a service, commodity, or an event. Thus, there is no motivation for the combination.

Accordingly, for this reason, the rejection cannot stand and should be withdrawn, thus making claim 38 patentable over the references for this reason as well.

Claim 39 also contains limitations similar to those of claim 38, and thus those claims are patentable over the reference for the same reasons discussed for claim 38, above.

Further, claim 39 recites a "mobile user terminal for communicating with the service server for purchasing the networked-linked electronic ticket" (lines 13-15) an "information server for communicating with the mobile user terminal for checking the network electronic ticket before providing information to the mobile user terminal via the public network" (lines 16-19) and a

"gate terminal for communicating with the mobile user terminal and for automatically checking the electronic ticket before providing the customer access to the commodity, the service, and/or user admission to the event"

(lines 20-25). The Examiner has repeatedly failed to address these claim limitations, despite being reminded of them in prior office actions. Claims 40 and 41, being directly or indirectly dependent on claim 39, are patentable for the same reasons as claim 39 (as well as for the limitations contained therein).

Claims 42 and 43 contain one or more limitations similar to those discussed above, and thus are patentable for the same reasons as discussed herein.

New claims 44-56 have features similar to those discussed for claim 38 above, or additional features, not found in the references. For example, Hiroya and Sasamazel do not teach an electronic ticket having an encryption key, and Cogger merely teaches web-based customer service. None of the references suggest the authentication information for authentication processing with a provider or authentication information for authentication processing when receiving an online information service. Accordingly, these claims are also patentable over the references.

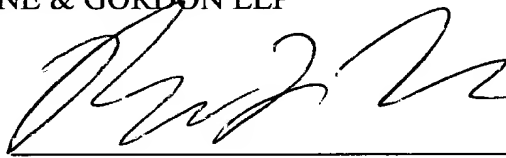
In light of the foregoing, it is respectfully submitted that the present application is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the Examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 32808.

Respectfully submitted,

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